CALIFORNIA HORSE RACING BOARD 1010 HURLEY WAY, SUITE 300 SACRAMENTO, CA 95825



REPORT OF THE BOARD OF STEWARDS Del Mar Thoroughbred Club To the California Horse Racing Board

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Honorable Richard B. Shapiro, Chairman
Honorable John C. Harris, Vice Chairman
Honorable John Amerman, Member
Honorable John Andreini, Member
Honorable Jesse H. Choper, Member
Honorable Marie G.Moretti, Member
Honorable Jerome S. Moss Member
Ingrid Fermin, Executive Director
Richard "Bon" Smith, Assistant Executive Director

Report of the Board of Stewards for the period August 15, 2007 through August 20, 2007.

WEDNESDAY 8-15-07

1 MINUTES

Albert Christiansen will compose the minutes for this week.

2 CAL-BRED REPORT

The third, fourth and sixth races on the program were for California Breds.

3 DOUBLE DRAW

Entries for Saturday and Sunday's programs were drawn today.

4 CASE SETTLED

San Luis Rey Downs and trainer Alvin Ruiz settled a financial complaint concerning stall rent today.

5 <u>MISCOMMUNICATION</u>

At 11:10 a.m. the Stewards became aware of an error pertaining to a scratch. Immediately upon the news, #1 Tribal Fire in the fourth race, was returned to the wagering pools. Director of Mutuels Bill Navarro reported the horse had been out of the pools for ten minutes and there was little activity in the wagering. The mistake was traced to apparent miscommunication between the receiving barn and Assistant Clerk of Scales Charlie McCaul. #1 Gotta Go Gal in the third race was the actual scratch.

6 STEWARDS INQUIRY - NO CHANGE

After the finish of the third race (Six and One-Half Furlongs) the Stewards posted the inquiry sign to review the start. Upon review it was obvious that #3 O Bee Lucky (jockey Martin Garcia) reared at the start, lunged into #2 Celtic Way (jockey Joe Talamo), causing severe interference to the latter. Since #2 out - finished #3 there was no reason to alter the original order of finish.

7 STEWARDS INQUIRY/ JOCKEY OBJECTION - NO CHANGE

Following the finish of the seventh race (Five Furlongs on the Turf) the Stewards posted the inquiry sign to review several separate incidents. Also, jockey Tyler Baze aboard the eighth place finisher (last) #4 Corazondelcampeon claimed foul against the sixth place finisher #7 Bonfante (jockey Aaron Gryder) for alleged interference about fifty yards after the start. Tape replays fail to substantiate Baze's allegations and no change was warranted. The next incident the Stewards reviewed happened approaching the quarter pole and involved the previously mentioned #7 Bonfante. Replays show, and jockey Gryder verified, that #7 is lugging in badly and sharply checks off a rival's heels. As the horse caused his own problem no change was necessary. The third incident occurred in mid-stretch and involved the second place horse #3 Scottsbluff (jockey Clinton Potts). Replay's show #3 driving between rivals, pushing the tiring #6 Indian Breeze (jockey Martin Pedroza) out, however the incident did warrant a disqualification.

8 <u>LATE DECLARATION</u>

Race #1	No Change – Refund: - \$430.00
Race #2	No Change – Refund: - \$303.00
Race #3	#1 Gotta Go Gal (Tr. Dominic Fama) unsound, Dr. Nevens.
	Refund: - \$2,767.82
Race #4	No Change – Refund: - \$349.00
Race #5	#5 Political High (Tr. R.B. Hess, Jr.) sick, Dr. Connor.
	Refund: - \$2,678.10
Race #7	No Change – Refund: - \$31.10
Race #8	No Change – Refund: - \$12.10

9 ATTENDANCE AND HANDLE

Total Refund: \$6,571.12	Del Mar on Track	11,147	Off Track	\$3,323,375.20
No Minus Pool	Off Track	7,492	Out of State	\$5,550,876.85
	Total Attendance	18,639	Del Mar Total	\$1,698,344.30
			Total	\$10 572 596 35

THURSDAY

8/16/07

1 SCRATCHES AND ENTRIES

Scratches for Friday were completed at 10 a.m. eight races were drawn for Monday's program.

2 CAL-BRED REPORT

The first race on the program for maidens, three years old and upward, going six furlongs, was contested with eight Cal-Breds.

3 JOCKEY OFF

Jockey Corey Nakatani was off his five scheduled mounts today. The rider was injured yesterday when his mount in the seventh race acted up and unseated him in the tunnel leading to the track. Mr. Nakatani suffered a bruised shoulder.

4 **RULING #48**

This ruling was issued after informing the trainer of the penalty. Mr. Aguirre brought #9 Justinplace to the receiving barn for last Monday's sixth race with toe grabs behind. This action necessitated a late declaration because the Horseshoe Inspector could not file the grabs down.

RULING #48

Trainer Paul Aguirre, is fined three hundred dollars (\$300.00)* pursuant to California Horse Racing Board Rule #1629 (Penalty for Late Declaration), for having his horse "Justinplace" improperly shod necessitating the late declaration from the sixth race on Monday, August 13, 2007, at Del Mar Thoroughbred Club.

5 PRE-HEARING CONFERENCE

C.H.R.B. complaint #07HP101 was addressed with an informal pre-hearing conference. The case involves a horse van and golf cart accident. There are complaints and counter-complaints involved. At the gathering today were Attorney Raymond i Moniak representing Daniel A. Porter of Porter Horse Transport, Mr. Porter, trainer Paul Aguirre and his brother Ken Aguirre, owner of the golf cart. The case is set for hearing next week.

6 **RULING #49**

Owner Nakia Henderson, having appeared to answer case number 07HP009 alleging violation of California Horse Racing Board Rule #1876 (Financial Responsibility) is restored to good standing. HRTH Ruling #32, issued at Hollywood Park on May 20, 2007, is set aside. This ruling was agreed upon after complainant Keith Taraba, D.V.M. failed to appear for this financial complaint.

7 RULING #50

Trainer Peter Miller was telephonically contacted when security advised the Stewards that he was ignoring parking violations. Mr. Miller explained he was too busy to address parking violations. The Stewards then issued this ruling for three parking violations.

RULING #50

Trainer Peter Miller is fined Sixty Dollars (\$60.00)* for violation of Stable area parking regulations, pursuant to California Horse Racing Board Rule # 1530 (Cases Not Covered by Rules & Regulations).

8 JOCKEY REVIEWS RACE REFER (7) 8/15/07

Jockey Clinton Potts appeared to review yesterday's seventh race with the Stewards. The rider was cautioned to have a clear opening when driving between horses.

9 **RULING #51**

This ruling was issued after addressing C.H.R.B. case #07DM038. The case involved the late declaration of "Earnednevergiven" in the seventh race at Del Mar on August 10, 2007. The trainer had orally administered Air Power the day of the race in violation of C.H.R.B. medication rules.

RULING #51

Trainer Mike Machowsky is fined three hundred dollars (\$300.00)* pursuant to California Horse Racing Board Rule #1629 (Penalty for Late Declaration), for medicating "Earnednevergiven", necessitating the late declaration from the seventh race on Friday, August 10, 2007, at Del Mar Thoroughbred Club.

10 WEEKLY MEETING

The Stewards ventured off to the jock's room for the weekly film review. Retired jockey Don Pierce and two current riders attended. Four races were reviewed and particularly Mr. Pierce contributed to the evaluation of the races.

11 STEWARDS INQUIRY - ACCIDENT - NO CHANGE

After the finish of the fourth race (Five Furlongs on the Turf) the Stewards posted the inquiry sign to review an accident just past the quarter pole. Replays verify that #3 Holly Torque Tango, racing in the clear, suddenly breaks down and falls. Jockey Potts, after being examined by the doctor, rode the next two races. The horse broke her left front cannon bone and was euthanized on the track.

12 <u>LATE DECLARATIONS</u>

1 st Race	No Change – Refund: - \$436.00
2 nd Race	No Change – Refund: - \$404.00
3 rd Race	#2 Nate' N Ed (Tr. Juan Garcia) sick, Dr. Nevens.
	Refund: - \$4,231.20
4 th Race	No Change – Refund: - \$249.00
5 th Race	#5 Yo Fuzzy (Tr. Tony Locke) injured, Dr. Connor.
	Refund: - \$33,463.73
6 th Race	#6 Belmopan (Tr. Marcelo Polanco) unsound, Dr. Nevens.
	#10 Sixth Street Joe (Tr. Vladimir Cerin) injured, Dr. Nevens.
	Refund: - \$2,342.70
7 th Race	No Change – Refund: - \$4.00
8 th Race	No Change – Refund: - \$215.10

13 ATTENDANCE AND HANDLE

Total Refund: \$41,345.73	Del Mar on Track	11,860	Off Track	\$3,169,701.70
No Minus Pool	Off Track	7,250	Out of State	\$5,231,735.90
	Total Attendance	19,110	Del Mar Tota	1 \$1,764,139.50
			Total	\$10 165 577 10

FRIDAY 8/17/07

1 SCRATCHES

Saturday's scratches were completed at 10 a.m.

2 CAL-BRED REPORT

The sixth race on the card for Allowance/Claiming \$25,000, for three years old and upward, going One mile, had nine Cal-Bred entries.

3 **RULING #52**

This ruling was issued after Dr. Blue informed the Stewards she received payment of \$740.02 from Robert Fisher's overdue account.

RULING # 52

Owner Robert Fisher, having complied with provisions of California Horse Racing Board Rule #1876 (Financial Responsibility), is restored to good standing. Ruling #32, issued at Del Mar Thoroughbred Club on August 6, 2007, is set aside.

4 RULING #53

The Stewards were notified over a week ago that Upper Group Inc. had mailed payment of \$1,006.75 to Dr. Blue. Unfortunately the check in the mail has not arrived, obliging the Stewards to issue this ruling.

RULING # 53

Owners Shih C. Chiang and Hui Ying Chiang (dba Upper Group Inc.) having failed to appear before the Board of Stewards to answer a complaint alleging violation of California Horse Racing Board Rule #1876 (Financial Responsibility) are suspended for violation of California Horse Racing Board Rule #1547 (Failure to Appear).

During the term of suspension, all license and license privileges are suspended and pursuant to California Horse Racing Board #1528 (Jurisdiction of Stewards to Suspend or Fine) subjects are denied access to all premises in this jurisdiction.

5 RULING #54

This ruling was issued when Mr. Garcia failed to show up yesterday for his scheduled hearing. The exercise rider was allegedly in possession of a controlled substance. It has been speculated that Mr. Garcia is in jail.

RULING # 54

Exercise Rider Modesto Garcia having failed to appear before the Board of Stewards to answer a complaint alleging violation of California Horse Racing Board Rule #1489 (Grounds for Denial or Refusal of License), is suspended for violation of California Horse Racing Board Rule #1547 (Failure to Appear). During the term of suspension, all license and license privileges of Modesto Garcia are suspended and pursuant to California Horse Racing Board #1528 (Jurisdiction of Stewards to Suspend or Fine) he is denied access to all premises in this jurisdiction.

6 JOCKEYS' REVIEW RACES

Jockeys Joe Talamo, Joel Rosario and Tyler Baze appeared to review races from yesterday with the Stewards. Baze and Talamo reviewed the second race and were both advised to have control of their mounts. Rosario looked at his ride in the fifth race and was cautioned to have a clear opening when driving up between horses.

7 ANOTHER JOCKEY

Jockey Isaias Enriquez appeared to review Wednesday's first race with the Stewards. Turning for home the horse suddenly veered out causing a rival to move outwards. Mr. Enriquez was warned to have better control of his mount.

8 STEWARDS' INQUIRY - DISQUALIFICATION

After the finish of the second race (One Mile on the Turf) the Stewards posted the inquiry sign to review an incident in midstretch. Involved were the second place finisher #4 Private Banking (jockey Aaron Gryder) and #2 Double Trouble (jockey Brice Blanc), the third place filly. After talking with the patrol judges, interviewing the riders involved and reviewing the replays, the Stewards unanimously agreed to disqualify #4 from second and place her third, behind #2, for interference at the eighth pole. Replays show #4 push #2 out, costing the latter more than the neck she got beat for second place.

Original Order of Finish: 1-4-2-5 Official Order of Finish: 1-2-4-5

9 LATE DECLARATIONS

4th Race No Change – Refund: - \$313.00 5th Race No Change – Refund: - \$664.00

6th Race #3 High Cholesterol - (Tr. P.H. Lobo) sick, Dr. Beck.

Refund: - \$6,635.30

7th Race #3 Red Diadem - (Tr. B.D.A. Cecil) Stake, Stewards'.

Refund: - \$1,087.00

8th Race No Change – Refund: - \$129.50

10 ATTENDANCE AND HANDLE

Total Refund: \$8,828.80	Del Mar on Track	25,705	Off Track	\$3,732,621.40
No Minus Pool	Off Track	8,012	Out of State	\$6,311,874.34
	Total Attendance	33,717	Del Mar Total	\$2,211,477.00
			Total	\$12.255,972.74

SATURDAY 8/18/07

1 SCRATCHES

Scratches for Sunday's races were completed at 10 a.m.

2 <u>CAL-BRED REPORT</u>

The third race in the book for maidens, fillies two years old, going six furlongs, failed to fill.

3 RULING #55

This ruling was issued after due consideration from a formal hearing at Hollywood Park:

RULING #55

Owner CLARENCE HUNT, having participated in a formal hearing to address case number 05SA254, is in violation of California Horse Racing Board rule #1876 (Financial Responsibility) in the amount of \$1,100.75. Mr. Hunt's license shall remain suspended until this debt is satisfied and until he addresses case numbers 05SA253, 06GG045, and 05GG127.

4 **RULING #56 (REFER #8, 8-17-07)**

Jockey Aaron Gryder appeared to review yesterday's second race disqualification of his mount with the Stewards. Mr. Gryder put up a spirited defense but the Stewards were of the opinion the ride was careless.

RULING #56

Jockey Aaron Gryder, who rode "Private Banking (FR)" in the second race at Del Mar Thoroughbred Club on Friday, August 17, 2007 is suspended for three (3) racing days (August 25th, 26th, and 27th, 2007), for failure to make the proper effort to maintain a straight course in the stretch and causing interference, resulting in a disqualification, which is a violation of California Horse Racing Board Rule # 1699 (Riding Rules – Careless Riding).

The terms of this suspension shall not prohibit participation in designated races in California.

5 WARNING

Jockey Agent Ron Eubanks appeared, accompanied by his attorney Bing Bush, to explain why he was in the paddock yesterday. It was explained to Mr. Eubanks our policy is that jockey agents are not allowed in the paddock. After much discussion a warning was afforded the agent.

6 INFORMAL HEARING

Hot walker Alberto Zumaya appeared to address C.H.R.B. complaint #07DM0031. Senior Investigator Rick Amieva presented the case, which involves disorderedly conduct and possible license falsification. Both sides were heard and a decision will be made at a later date.

7 **RULING #57**

Trainer Tom Blincoe showed up to defend a speeding violation in the barn area. The trainer offered a zealous presentation, however he admitted going about 16 miles per hour in a 10 mph area. Mr. Blincoe was upset by his predicament and unhappy with this ruling.

RULING # 57

Trainer Thomas Blincoe is fined Twenty Dollars (\$20.00)* for violation of Stable area parking regulations pursuant to California Horse Racing Board Rule # 1530 (Cases Not Covered by Rules & Regulations – Speeding In Stable Area).

8 STEWARDS' INQUIRY - DISQUALIFICATION

After the finish of the first race (Five Furlongs on the Turf) the Stewards posted the inquiry sign to investigate an obvious incident going into the turn. Five horses were involved, from the inside rail outwards were the second place finisher #2 Itsallgreektou (jockey Michael Baze), #3 Angel Eyed (apprentice jockey Alonso Quinonez) the fifth place filly, #5 Eagle Island (jockey Joseph Talamo) who finished seventh, the sixth place finisher #7 Tizfiz (jockey Victor Espinoza) and #8 Prime Catch (jockey David Flores) who ended up third. After talking with the riders involved, receiving the patrol judges' reports and reviewing the replays, the Stewards unanimously agreed to disqualify #2 from second and place her in seventh position, behind #5, for interference to #3, #5, #7 and #8 going into the turn. Replays show #2 veer out at the point of the turn, causing severe interference to the four horses outside of her.

Original Order of Finish: 4-2-8-6-3-7-5-1 Official Order of Finish: 4-8-6-3-7-5-2-1

9 STEWARD' INQUIRY - NO CHANGE

Following the finish of the third race (One Mile and One-Sixteenth on the Turf) the Stewards posted the inquiry sign to review an incident nearing the wire. Involved were the winner #6 Six Cents of Humor (jockey Matt Garcia), the second place filly #7 Silber (jockey Martin Pedroza) and the fourth place finisher #4 Feel Ridge (BRZ) and (jockey David Flores). After talking with the riders involved, receiving the patrol judges' reports and reviewing the replays, the Stewards unanimously agreed to make no change in the order of finish. Replays show #4 heading for a hole between #6 and #7, close to the wire, #6 drifts out as #7 lugs in, closing the hole for #4. However, the incident happens so close to the wire, that in the Stewards' opinion the incident did not cost #4 a better placing.

10 <u>JOCKEY OBJECTION - NO CHANGE</u>

After the finish of the fifth race (Six Furlongs) the Stewards posted the objection sign at the request of jockey (Richard Migliore) aboard the last place finisher #3 Areutrue. Migliore alleged interference by the third place horse #7 Extreme Notice (jockey Jose Valdivia) approaching the quarter pole. After talking with the riders involved, receiving the patrol judges' report and reviewing the replays, the Stewards unanimously agreed to make no change in the order of finish. Replays fail to verify the claim of foul.

11 <u>LATE DECLARATIONS</u>

1 st Race	No Change - Refund: - \$131.10
2 nd Race	No Change – Refund: - \$71.00
3 rd Race	No Change – Refund: - \$93.00
4 th Race	#9 Last Gamble (Tr. Mark Tsagalakis) sick, Dr. Nevens.
	Refund: - \$1,885.90
6 th Race	No Change – Refund: - \$65.30
7 th Race	#3 Beltline Jack (Tr. Jack Carava) unmanageable, Stewards.
	Refund: - \$21,176.00
9 th Race	#10 Santa Fe (IRE) (Tr. Matthew Chew) ran off, Stewards.
	Refund: - \$29.609.16

12 <u>ATTENDANCE AND HANDLE</u>

Total Refund: \$53,031.46	Del Mar on Track	18,736	Off Track	\$6,083,593.10
No Minus Pool	Off Track	12,031	Out of State	\$8,088,374.42
	Total Attendance	30,767	Del Mar Total	\$3,486,251.50
			Total	\$17,658,219.02

SUNDAY 8/19/07

1 <u>DOUBLE DRAW AND SCRATCHES</u>

Entries for Wednesday and Thursday were drawn today. Scratch time for tomorrow was completed at 10 a.m.

2 **RULING #58 (REFER-#6-8/18/07)**

This ruling was agreed upon after due deliberation of yesterday's informal hearing. The facts presented and testimony suggests Mr. Zumaya was disrespectable at best.

RULING #58

Groom Alberto Zumaya is fined two hundred dollars (\$200.00)* for violation California Horse Racing Board Rule # 1874 (Disorderly Conduct – abusive behavior toward a CHRB Investigator) on August 5, 2007, at Del Mar Thoroughbred Club.

3 JOCKEYS WATCH REPLAYS

Jockeys Matt Garcia and Martin Pedroza reviewed the third race from yesterday's program. Both riders were cautioned to make better efforts in maintaining a straight course. Next, five riders from race #1 appeared to review the disqualification of Michael Baze's mount. The Stewards were of the opinion that because Baze's mount changed leads to drop in, then suddenly veers out; causing the wreck that Mr. Baze was not at fault. Each rider and Steward offered a comment on the race in an effort to prevent an accident in these five-furlong Turf races.

4 STEWARDS' INQUIRY - NO CHANGE

After the finish of the fourth race (One Mile and One Sixteenth on the Turf) the Stewards posted the inquiry sign to review an incident at the top of the stretch. Involved were the winner #3 Model (jockey David Flores) and the seventh place horse #9 Island Hop (jockey Joe Talamo). After talking with the riders involved, receiving the patrol judges' reports and reviewing the replays, the Stewards unanimously agreed to make no change in the order of finish. Replays show #3 coming between horses at the quarter pole, making slight contact with #9, however the incident did not warrant a disqualification.

5 STEWARDS' INQUIRY - NO CHANGE

Following the finish of the sixth race (Six Furlongs) the Stewards' posted the inquiry sign to review the stretch run. Involved were the second place finisher #12 Colonel John (jockey Garrett Gomez) and the third place finisher #1 Overextended (jockey Corey Nakatani). After talking with the riders involved, receiving the patrol judges' report and reviewing the replays, the Stewards unanimously agreed to let the order of finish stand. Replays show both horses contributing to the contact repeatedly made in the stretch run, thus no change was warranted.

6 PACIFIC CLASSIC

The 17th running of the Pacific Classic, \$1,000,000 Guaranteed Grade 1, ran as the eight race and was won by Student Council, with jockey Richard Migliore aboard.

7 <u>LATE DECLARATIONS</u>

1 st Race	No Change – Refund: - \$76.00
2 nd Race	No Change – Refund: - \$288.10
3 rd Race	No Change – Refund: - \$15.00
4 th Race	No Change – Refund: - \$3.00
5 th Race	No Change – Refund: - \$116.40
6 th Race	No Change – Refund: - \$227.00
7 th Race	No Change – Refund: - \$836.00
8 th Race	#9 Tiago (Tr. John Shireffs) Stake, Stewards.
	Refund: - \$11,383.70
9 th Race	#3 Bushwacker (Tr. William Currin) sick, Dr. Beck.
	#12 Quintons Shocker (Tr. Mike Mitchell) sick, Dr. Connor.
	Refund: - \$2,360.60
10 th Race	#10 Ocean Grand (Tr. Jack Carava) sick, Dr. Connor.
	Refund: - \$1,000.60

8 ATTENDANCE AND HANDLE

Total Refund: \$16,306.40	Del Mar on Track	35,320	Off Track	\$7,106,799.10
No Minus Pool	Off Track	16,381	Out of State	\$12,319,696.96
	Total Attendance	51,701	Del Mar Total	\$5,216,105.60
			Total	\$24,642,601,66

MONDAY 8/20/07

1 ENTRIES AND SCRATCHES

Eight races were drawn for Friday's program. Scratches for Wednesday's races were completed at 10 a.m.

2 CAL-BRED REPORT

The third race on the card for maidens, three years old and up wards, claiming price \$40,000 - \$35,000, was contested with eight Cal-Breds.

3 JOCKEY APPEARS

Jockey David Flores appeared to review yesterday's fourth race with the Stewards. The rider explained that the hole he came through was big enough, but his horse floated out a bit at the point of the turn. The explanation was reasonable and no penalty was warranted. Mr. Flores also represented jockey Garrett

Gomez in reviewing the sixth race from yesterday. After reviewing the race Mr. Flores will inform jockey Gomez to make a better effort to maintain a straight course.

4 GOOD RACING

Eight Races were completed without a reportable incident.

5 <u>LATE DECLARATIONS</u>

1st Race #6 Zoemeg (Tr. John Sadler) injured, Dr.Beck.
Refund: \$2,136.70

2nd Race No Change – Refund: - \$498.00

3rd Race #8 L.A. Phil (Tr. Carla Gaines) sick, Dr. Nevens.
Refund: \$3,996.90

4th Race #2 Lady Elizabeth (Tr. Paul Assinesi) sick, Dr. Nevens.

Refund: \$2,256.88

6 ATTENDANCE AND HANDLE

Total Refund: \$8,888,48	Del Mar on Track	9,128	Off Track	\$2,555,873.60
No Minus Pool	Off Track	6,240	Out of State	\$4,498,498.88
	Total Attendance	15,368	Del Mar Total	\$1,447,656.10
			Total	\$8,502,028.58

CALIFORNIA HORSE RACING BOARD

SUMMARY

	Wed 8-15	Thurs 8-16	Fri 8-17	Sat 8-18	Sun 8-19	Mon 8-20	Week Total	Meet Total
Accidents	0	1	0	0	0	0	1	4
Cal-Bred Races	3	1	1	0	0	1	6	45
Claims	4	7	4	1	3	11	30	220
Inquiries	2	1	1	2	2	0	8	29
Objections	1	0	0	1	0	0	2	12
Disqualifications	0	0	1	1	0	0	2	13
Refunds	2	4	2	3	4	3	18	121
Rulings	0	4	3	3	1	0	11	58

Respectfully submitted,
Albert Christiansen (Steward)
C. Scott Chaney (Steward)
Grant W. Baker (Steward)